

Weekly Federal Register Summary

Week of 2/15/2004

Prepared By
Naval Facilities Engineering Service Center
Code 42

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Introduction

About the Report:

This weekly federal regulatory summary contains summaries of Federal Register notices and other information and is provided as a service of Naval Facilities Engineering Service Center, Port Hueneme, CA for various Navy and Marine Corps environmental personnel. Content is screened to include environmental and health/safety items specifically relevant to the Navy/Marine Corps or of broad general relevance to DOD.

Meetings -

Meeting cancellations and date changes appear only in the Upcoming Meetings section; they are not re-entered in the Summary of Issues.

Subscription:

Interested DOD personnel may receive a free weekly e-mail of this report. To subscribe or unsubscribe, log on to <http://regscreen.nfesc.navy.mil/htm/Subscribe.htm>. Contractors can be added to distribution if endorsed by their DOD contract representative via e-mail to us at regdesk@nfesc.navy.mil. Include the DOD representative's name, e-mail, phone number, job title, command, and address and your e-mail, phone number, company, and contractual responsibility area. If you have problems, or need assistance please contact us at regdesk@nfesc.navy.mil or 805/982-1276.

Web Database:

A companion website is available at <http://regscreen.nfesc.navy.mil> (access limited to .mil domains) where you can find and retrieve items from past issues of the Weekly Regulatory Summary, or get an overview of upcoming regulations.

Feedback:

We have made every effort to ensure that the information provided is accurate and that all significant regulatory actions have been included. If you believe that an important issue has been omitted from this report or that the information is incorrect, please contact us at 805/982-1276 or 805/982-2640, or via e-mail at regdesk@nfesc.navy.mil. Suggestions for improvement are also appreciated.

If you have specific concerns or would like to provide information to support Navy/DOD impacts from identified issues, please forward an e-mail detailing your comments. Please include the title and date of the issue. We may be contacted at: regdesk@nfesc.navy.mil or call 805/982-1276.

Summary of Issues

1. CAA

Clean Air Act Advisory Committee	Date: 2/17/2004
Action Type: Meeting Announcement	Cite: 69 FR 7478
Summary: Clean Air Act Advisory Committee (CAAAC) will meet on March 24, 2004 in Washington, DC. Three of the CAAAC's Subcommittees (the Linking Energy, Land Use, Transportation, and Air Quality Concerns Subcommittee; the Permits/NSR/Toxics Integration Subcommittee; and the Economics Incentives and Regulatory Innovations Subcommittee) will hold meetings on Tuesday, March 23, 2004. Information on the meetings is available at: http://www.epa.gov/oar/caaac/	
Potential Impact or Relevance: Provided for information only.	CFR References:
Further Information: Pat Childers, Office of Air and Radiation, EPA, Washington, DC, 202-564-1082	
Full Text Document Location: http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2004/04-3365.htm http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2004/pdf/04-3365.pdf	

2. CAA

New Source Performance Standards: Applicability Determinations		Date: 2/20/2004
Action Type: Notice, Information		Cite: 69 FR 7926
Summary: EPA has updated the collection of applicability determinations, alternative monitoring decisions, and regulatory interpretations that EPA has made under the New Source Performance Standards (NSPS), the National Emission Standards for Hazardous Air Pollutants (NESHAP), and the Stratospheric Ozone Protection Program (SOPP). The Applicability Determination Index is an electronic index that contains EPA letters and memoranda pertaining to the applicability, monitoring, recordkeeping, and reporting requirements of the NSPS, NESHAP and SOPP. The regulatory interpretations cover topics a wide range of topics. The Applicability Determinations are accessible at: Applicability Determination Index.		
Potential Impact or Relevance: Provided for information only.		CFR References:
Further Information: Maria Malave, EPA, Washington, DC, 202-564-7027, malave.maria@epa.gov		
Full Text Document Location: http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2004/04-3716.htm http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2004/pdf/04-3716.pdf		

3. CAA

NSPS and Emission Guidelines: Commercial or Industrial Solid Waste Incineration Units	Date: 2/17/2004
Action Type: Notice and Request for Comments	Cite: 69 FR 7390
Summary: EPA is providing additional information related to their solicitation for comments on the definition of "solid waste," "commercial and industrial waste," and "commercial and industrial solid waste incineration unit," for purposes of EPA's new source performance standards and emission guidelines. EPA may define commercial or industrial waste in order to identify which units are commercial and industrial solid waste incineration units subject to regulation under section 129, as opposed to units regulated under section 112 or other authority. In doing so, EPA intends to determine when to treat combustion units at commercial and industrial facilities like incinerators, and when to treat them like non-incineration combustion units. Comments are due March 18, 2004.	
Potential Impact or Relevance: Provided for information only.	CFR References:
Further Information: Fred Porter, Emission Standards Division, EPA, Research Triangle Park, NC, 919-541-5251	
Full Text Document Location: http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2004/04-3366.htm http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2004/pdf/04-3366.pdf	

4. CAA

Checklist for Resubmitting Your Risk Management Plan (RMP) for Chemical Accident Prevention	Date: 2/13/2004
Action Type: Notice, Information	Cite: EPA 550-F-04-001
Summary: EPA has released a new factsheet entitled "A Checklist for Resubmitting Your Risk Management Plan (RMP) for Chemical Accident Prevention." The factsheet provides information on updating existing RMPs. The majority of facilities submitted their initial RMP's by the original June 21, 1999 deadline and have not resubmitted their RMPs since. This means that most RMP's must be fully updated and resubmitted by June 21, 2004. This factsheet provides a checklist for preparing a 5-year update. The factsheet is available at: http://yosemite.epa.gov/oswer/ceppoweb.nsf/vwResourcesByFilename/RMP2004-chklist.pdf/\$File/RMP2004-chklist.pdf	
Potential Impact or Relevance: Provided for information only.	CFR References:
Further Information: No contact information provided.	
Full Text Document Location: http://yosemite.epa.gov/oswer/ceppoweb.nsf/vwResourcesByFilename/RMP2004-chklist.pdf/\$File/RMP2004-chklist.pdf	

5. *Climate Change And Energy*

Solid State Lighting Core Technologies		Date: 2/20/2004
Action Type: Notice		Cite: 69 FR 7920
Summary: DOE is issuing a solicitation entitled "Solid State Lighting Core Technologies." DOE has set goals for solid state lighting (SSL) research and development: by 2015, to develop advanced solid state lighting technologies that, compared to conventional lighting technologies, are much more energy efficient, longer lasting, and cost-competitive. The core technology program will focus on breakthrough technologies that are typically longer-term in nature.		
Additional information on the announcement is available at: http://e-center.doe.gov . Search for announcement no. DE-PS26-04NT42092.		
Additional information on the SSL program is available at: http://www.netl.doe.gov/ssl/PDFs/SSL_OperPlan_A1.pdf		
Potential Impact or Relevance: Provided for information only.		CFR References:
Further Information: Sue Miltenberger, DOE, National Energy Technology Laboratory, Morgantown, WV, Susan.Miltenberger@netl.doe.gov , 304-285-4083.		
Full Text Document Location: http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2004/04-3741.htm http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2004/pdf/04-3741.pdf		

6. *Climate Change And Energy*

Automotive Fuel Economy Manufacturing Incentives for Alternative Fueled Vehicles	Date: 2/19/2004
Action Type: Final Rule	Cite: 69 FR 7689
Summary: Department of Transportation's National Highway Traffic Safety Administration (NHTSA) is extending the alternative fuel CAFE incentive through the 2008 model year. The incentive was enacted to help create a fleet of vehicles able to operate on alternative fuel. In its March 2002 Report to Congress, the NHTSA found that the results of the incentive program to date had been mixed in that the program led to vehicles capable of operating on alternative fuels but very little infrastructure to support use of alternative fuels. NHTSA is extending the incentive to continue to encourage investment in alternative fuel infrastructure and expansion of public awareness and acceptance campaigns to create a self-sustaining alternative fuel system.	
Potential Impact or Relevance: Potential interest to alternative fuel vehicle program managers.	CFR References: 49 CFR 538
Further Information: Kenneth Katz, Fuel Economy Division, Office of Planning and Consumer Standards, NHTSA, Washington, DC, 202-366-0846.	
Full Text Document Location: http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2004/04-3595.htm http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2004/pdf/04-3595.pdf	

7. *Natural and Cultural Resources*

Gulf of Mexico Program Policy Review Board Meeting and Management Committee	Date: 2/18/2004
Action Type: Meeting Announcement	Cite: 69 FR 7631
Summary: The Gulf of Mexico Program Policy Review Board will meet on March 18, 2004, in New Orleans, LA. The meeting agenda includes: <ul style="list-style-type: none">- Briefings on Emerging Initiatives;- PEW Commission Report--White House Views;- Mexico Gulf Programs Integration--Gulf of Mexico States Accord;- White Water to Blue Water Initiative;- Gulf Hypoxia--Implementation Plan Status Report/Industry-Led Solutions Workshop;- FY 2004 Program Workplan Overview/PRB Endorsement and Proposed Addition of Choctawhatchee Basin as Priority Area.	
Potential Impact or Relevance: Provided for information only.	CFR References:
Further Information: Gloria D. Car, Gulf of Mexico Program Office, Stennis Space Center, MS, 228-688-2421	
Full Text Document Location: http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2004/04-3453.htm http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2004/pdf/04-3453.pdf	

8. NEPA

EIS for a Marine Container Terminal at the Charleston Naval Complex, Charleston County, SC	Date: 2/19/2004
Action Type: Notice	Cite: 69 FR 7728
Summary: Army Corps of Engineers, Charleston District intends to prepare an EIS for proposed construction of a marine container terminal by the South Carolina State Ports Authority (SCSPA), at the Charleston Naval Complex, North Charleston, SC. The development is 288.1 acres and will support cargo areas for marshalling, processing, handling and related terminal operating facilities. Development includes: <ul style="list-style-type: none">- filling 13.9 acres of freshwater wetlands;- dredging and filling 53.5 acres which includes 7.2 acres of tidal marsh;- a 10.3-acre wharf structure measuring 3,000 feet long and 150 feet wide, constructed adjacent to the dredge and fill area;- dredging an 86.7 acre berthing area and turning basin adjacent to the wharf. A public scoping meeting will be held on March 16, 2004, in North Charleston, SC. A federal and state agency Scoping Meeting will be held on March 22, 2004, in Charleston, SC.	
Potential Impact or Relevance: Provided for information only.	CFR References:
Further Information: Tracy Hurst, CESAC-RE-P, Charleston, SC, 843-329-8032	
Full Text Document Location: http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2004/04-3609.htm http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2004/pdf/04-3609.pdf	

9. NEPA

Environmental Impact Statements and Regulations; Availability of EPA Comments		Date: 2/20/2004
Action Type: Notice		Cite: 69 FR 7941
Summary: The following is a summary of comments issued by EPA to the following projects: DRAFT EIS, USN, MS, Purchase of Land in Hancock County, Mississippi, for a Naval Special Operations Forces Training Range, To Improve Riverine and Jungle Training Available, John C. Stennis Space Center, Hancock County, MS, Comment Period Ends: March 15, 2004, contact: Richard Davis (843) 820-5589. Revision of Federal Register Notice published on 01/30/2004: Change in contact person telephone number. EIS No. 040025		
Potential Impact or Relevance: Provided for information only.		CFR References:
Further Information: No contact information provided.		
Full Text Document Location: http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2004/04-3720.htm http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2004/pdf/04-3720.pdf		

10. OSHA

Commercial Diving Operations	Date: 2/17/2004
Action Type: Final Rule	Cite: 69 FR 7351
Summary: OSHA is amending its Commercial Diving Operations (CDO) standards. Employers of recreational diving instructors and diving guides will be allowed to comply with an alternative set of requirements instead of the decompression-chamber requirements in the current CDO standards. This rule only applies when these employees: <ul style="list-style-type: none">- engage in recreational diving instruction and diving-guide duties;- use an open-circuit, a semi-closed-circuit, or a closed-circuit self-contained underwater-breathing apparatus supplied with a breathing gas that has a high percentage of oxygen mixed with nitrogen;- dive to a maximum depth of 130 feet of sea water;- remain within the no-decompression limits specified for the partial pressure of nitrogen in the breathing-gas mixture.	
Potential Impact or Relevance: Provided for information only.	CFR References: 29 CFR 1910
Further Information: Robert Bell, Directorate of Standards and Guidance, Department of Labor, Washington, DC, 202-693-2053	
Full Text Document Location: http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2004/04-3289.htm http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2004/pdf/04-3289.pdf	

11. SDWA

Stage 1 Disinfectants and Disinfection Byproducts Rule Training	Date: 2/19/2004
Action Type: Meeting Announcement	Cite: EPA Recent Additions
Summary: The Environmental Protection Agency provide training on the Stage 1 Disinfectants and Disinfection Byproducts Rule (Stage 1 DBPR) via satellite broadcast on May 18, 2004. The training session will give an overview of how to comply with the chlorine, chloramines, Total Trihalomethanes (TTHM), and Haloacetic Acids (HAA5) requirements of the Stage 1 DBPR. The training session will also include a discussion of the Step 1 requirements for DBPPs. The training will cover: <ul style="list-style-type: none">- The rule and the reasons for it.- Monitoring plans.- Reporting requirements.- Relevant simultaneous compliance issues.- Compliance with the disinfection byproduct precursor Step 1 TOC removal requirements.- Compliance through alternative compliance criteria.	
Potential Impact or Relevance: Potential interest to drinking water system operators.	CFR References:
Further Information: Holly Fleming at (202) 564-9909 or fleming.holly@epa.gov .	
Full Text Document Location: http://www.epa.gov/safewater/dwa/satellite.html	

Upcoming Meetings

General

Science Advisory Board

Full Text

<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2004/04-209.htm>

Location	Start Date	Start Time	Duration	Details
Telephone Conference; Eastern Std. Time,	2/27/2004	1:00 PM	1 Day	3MRA

Symposium on Recent Scientific Research Related to the Health Effects of Trichloroethylene

Full Text

<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2004/04-1547.htm>

Location	Start Date	Start Time	Duration	Details
Washington, DC	2/26/2004	8:30 AM	2 Days	

CAA

Clean Air Act Advisory Committee

Full Text

<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2004/04-3365.htm>

Location	Start Date	Start Time	Duration	Details
Washington, DC	3/23/2004	9:30 AM	1 Day	
Washington, DC	3/24/2004	8:30 AM	1 Day	

Climate Change And Energy

Biomass Research and Development Technical Advisory Committee

Full Text

<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2004/04-2967.htm>

Location	Start Date	Start Time	Duration	Details
Arlington, VA	3/11/2004	8:30 AM	1 Day	

Natural and Cultural Resources

Coral Reef Task Force Meeting

Full Text

<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2004/04-1903.htm>

Location	Start Date	Start Time	Duration	Details
Washington, DC	2/24/2004	8:30 AM	2 Days	

Gulf of Mexico Program Policy Review Board Meeting and Management Committee

Full Text

<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2004/04-3453.htm>

Location	Start Date	Start Time	Duration	Details
New Orleans, LA	3/18/2004	8:30 AM	1 Day	

NEPA

EIS for a Marine Container Terminal at the Charleston Naval Complex, Charleston County, SC

Full Text

<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2004/04-3609.htm>

Location	Start Date	Start Time	Duration	Details
North Charleston, SC	3/16/2004	6:00 PM	1 Day	
Charleston, SC	3/22/2004	1:30 PM	1 Day	

OSHA

Safety Standards for Cranes and Derricks

Full Text

<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2004/04-3183.htm>

Location	Start Date	Start Time	Duration	Details
Washington, DC	3/3/2004	8:30 AM	3 Days	
Washington, DC	3/29/2004	8:30 AM	3 Days	

Maritime Advisory Committee for Occupational Safety and Health

Full Text

<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2004/04-3213.htm>

Location	Start Date	Start Time	Duration	Details
Washington, DC	3/2/2004	8:00 AM	3 Days	

SDWA

Stage 1 Disinfectants and Disinfection Byproducts Rule Training

Full Text <http://www.epa.gov/safewater/dwa/satellite.html>

Location	Start Date	Start Time	Duration	Details
satellite broadcast,	5/18/2004		1/2 Day	

TSCA

Advisory Committee on Childhood Lead Poisoning Prevention

Full Text

<http://a257.g.akamaitech.net/7/257/2422/05jan20040800/edocket.access.gpo.gov/2004/04-42.htm>

Location	Start Date	Start Time	Duration	Details
Baltimore, MD	3/9/2004	8:30 AM	2 Days	